United Nations A/54/776

General Assembly

Distr.: General
3 March 2000

Original: English

Fifty-fourth session
Agenda item 116
Human rights questions

Letter dated 1 March 2000 from the Permanent Representative of Latvia to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a statement issued on 25 January 2000 by the Ministry for Foreign Affairs of the Republic of Latvia concerning the sentencing in Rīga of Mr. V. M. Kononov (see annex I) and the text of a statement issued on 18 February 2000 by the Ministry of Foreign Affairs of the Republic of Latvia concerning the activities undertaken by the Prosecutor-General's Office of Latvia to investigate the case of Mr. K. Kalējs (annex II) and a letter dated 21 February 2000 from the President of the Republic of Latvia addressed to the Acting President of the Russian Federation concerning the judgement in Rīga of Mr. V. M. Kononov (annex III). I should be grateful if you would have the text of the present letter and its three annexes circulated as a document of the General Assembly, under agenda item 116.

(*Signed*) J. **Priedkalns**
Ambassador
Permanent Representative of Latvia to the United Nations

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Annex I

Statement issued on 25 January 2000 by the Ministry for Foreign Affairs of the Republic of Latvia concerning the sentencing in Rīga of Mr. V. M. (Vassily) Kononov on 21 January 2000

The Ministry of Foreign Affairs of Latvia refutes the allegations expressed in the statement of the Ministry of Foreign Affairs of the Russian Federation on the recent court case of Mr. Vassily Kononov, and finds that the Russian interpretation of the principles on which Latvia's judicial system is based is flawed and erroneous.

Latvia is an independent, democratic State in which the Constitution guarantees an independent judiciary. State interference in the work of the judiciary is not permitted.

Responsibility for crimes against humanity, genocide and war crimes is included in Latvian criminal law. All persons are equal before the law in Latvia. The independent judiciary does not judge crimes on their ideological basis. Any person may be called to answer for such crimes, regardless of sex, race, religious or political affiliation.

The gross misunderstanding demonstrated by the Russian Ministry of Foreign Affairs of the principles guiding the work of the Latvian judiciary is particularly noticeable in the case of Mr. Vassily Kononov, who has been sentenced for war crimes committed on Latvian territory during the Second World War.

The statement of the Russian Ministry of Foreign Affairs leads to the conclusion that Russia is reluctant to recognize the historical fact that crimes against the Baltic peoples during the Second World War were committed by *both* the USSR and Nazi Germany. The Latvian Ministry of Foreign Affairs believes that the Russian statement is an effort to discredit Latvia in the eyes of the international community and thus to hinder Latvia's integration into European and transatlantic structures.

The Ministry of Foreign Affairs of Latvia emphasizes that the statute of limitation for criminal liability for crimes against humanity, genocide and war crimes does not apply in Latvia and that Latvia investigates these crimes regardless of the ideological affiliation or ethnic origin of their perpetrators.

Annex II

Statement issued on 18 February 2000 by the Ministry of Foreign Affairs of the Republic of Latvia concerning the activities undertaken by the Prosecutor-General's Office of Latvia to investigate the case of Mr. Konrads Kalējs and in that context the conclusions reached by participants at an international meeting organized by the Prosecutor-General's Office of Latvia on 16 and 17 February 2000 in Rīga to investigate the case of Mr. Konrads Kalējs and of participants in Nazi-sponsored crimes committed during the Second World War

The international meeting organized by the Prosecutor-General's Office of Latvia was attended by judicial representatives from Australia, Canada, Germany, Great Britain, Israel and the United States of America in order to foster cooperation in the investigation of the case of Mr. Konrads Kalējs and of Nazi-sponsored crimes committed on Latvian territory during the Second World War.

During the meeting, the Prosecutor-General of Latvia, Mr. Jānis Skrastiņš, expressed Latvia's readiness and commitment to investigate actively and without delay Nazi-sponsored crimes committed on Latvian territory during the Second World War and to prosecute persons having committed such crimes. The Office of the Prosecutor-General of Latvia has assumed a leading role in this process, allocating additional resources to the investigation.

During the meeting, the Prosecutor-General of Latvia provided information on Latvian law regarding war crimes, crimes against humanity and criminal investigative procedures. The participants in the meeting suggested an action plan for the conduct of the investigations and expressed support for the Prosecutor-General's Office of Latvia for that purpose. Latvia undertook to update all parties present on progress made within the past three months.

The participants in the meeting discussed their legal and judicial experiences in the investigation of war crimes and the prosecution of war criminals at both the international and the national levels. The parties agreed that joint efforts of legal experts and historians were crucial to the investigative process.

The representatives of Latvia and Australia agreed to negotiate an extradition treaty as a matter of priority. Latvia and Great Britain agreed to organize a visit of Latvian investigators to Scotland Yard in the near future. Australia, Canada, Germany and the United States of America offered the benefit of their expertise, relevant legal materials, technical assistance and any new information or assistance relevant to the investigation of similar cases. Israel offered its assistance in obtaining relevant materials regarding war crimes committed on Latvian territory from non-governmental organizations and individuals in Israel.

The meeting proceeded in a constructive and open manner. The involvement of international judicial representatives in the investigation conducted by the Prosecutor-General's Office of Latvia bore promise of a full and thorough investigation.

Annex III

Letter dated 21 February 2000 from the President of the Republic of Latvia addressed to the Acting President of the Russian Federation concerning the judgement in Rīga of Mr. V. M. (Vassily) Kononov

In reply to your letter of 18 February (A/54/761, annex), I wish to inform you that the judgement of the Regional Court of Rīga by which Mr. Vassily Kononov was found guilty of murdering civilians has not yet been enforced, as it has been appealed in the Supreme Court of the Republic of Latvia.

Mr. Vassily Kononov was tried for murdering civilians. He was tried for war crimes, not anti-fascist actions. The legislation of Latvia contains no statute of limitation for criminal liability in relation to persons who have committed war crimes. Such crimes are to be punished regardless of the ideology in whose name they are committed and regardless of the age of the perpetrators.

Since regaining independence, Latvia has taken a firm and principled approach to building a State based on democracy, openness and the rule of law. International organizations such as the European Union, the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe have highly regarded our achievements. This gives us satisfaction and pride for, in taking care to observe human rights in our country, we show a good example to the international community. Therefore, let me reassure you that, in resolving the future of Mr. Vassily Kononov, Latvia will strictly adhere to and implement the principles of the rule of law and international practice.

(*Signed*) Vaira **Vīke-Freiberga**
President of the Republic of Latvia